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Approved for use through 10/31/2002. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/900,469
		Filing Date	July 9, 2001
		First Named Inventor	Ali Rusta-Sallehy et al
		Group Art Unit	1764
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	4	Attorney Docket Number	9351-70 HSF

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Correction of Error in Small Entity Status Under 37 C.F.R. 1.28.</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BERESKIN & PARR	
Signature		
Date	March 1, 2002	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 956.00)

## Complete if Known

Application Number	09/900,469
Filing Date	July 9, 2001
First Named Inventor	Ali Rusta-Sallehy et al
Examiner Name	Not yet assigned
Group Art Unit	1764
Attorney Docket No.	9351-70 HSF

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None  
 Deposit Account # **4207**

Deposit Account Number **022095**  
 Deposit Account Name **Bereskin & Parr**

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee		370.00	
106 330	206 165	Design filing fee			
107 510	207 255	Plant filing fee			
108 740	208 370	Reissue filing fee			
114 160	214 80	Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$)</b>	<b>370.00</b>		

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	53 - 20 ** = 33	X 9.00 = 297.00	
Independent Claims	5 - 3 ** = 2	X 42.00 = 84.00	
Multiple Dependent		X 140.00 = 140.00	

Large Entity	Small Entity	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b> 521.00

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath		65.00	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non-English specification			
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 400	216 200	Extension for reply within second month			
117 920	217 460	Extension for reply within third month			
118 1,440	218 720	Extension for reply within fourth month			
128 1,960	228 980	Extension for reply within fifth month			
119 320	219 160	Notice of Appeal			
120 320	220 160	Filing a brief in support of an appeal			
121 280	221 140	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,280	241 640	Petition to revive - unintentional			
142 1,280	242 640	Utility issue fee (or reissue)			
143 460	243 230	Design issue fee			
144 620	244 310	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Processing fee under 37 CFR 1.17(q)			
126 180	126 180	Submission of Information Disclosure Stmt			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))			
179 740	279 370	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b>		<b>(\$)</b>	<b>65.00</b>		

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$)** 65.00

## SUBMITTED BY

Name (Pnnt/Type)	H. Samuel Frost	Registration No. (Attorney/Agent)	31,696	Telephone	(416) 364-7311
Signature				Date	March 1, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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March 1, 2002

H. Samuel Frost B.A. (Eng. Sci.), M.Sc. (Nucl. Eng.)  
416 957 1687 sfrost@bereskinparr.com

Our Reference: 9351-70

**CHANGE IN SMALL ENTITY STATUS  
UNDER 37 C.F.R. 1.28**

The Commissioner of Patents  
& Trademarks  
Washington, D.C.  
U.S.A 20231

Dear Sir:

**Re: United States Patent Application No. 09/900,469  
For: CHEMICAL HYDRIDE HYDROGEN GENERATION SYSTEM  
AND AN ENERGY SYSTEM INCORPORATING THE SAME  
Filed: July 9, 2001  
Inventors: Ali Rusta-Sallehy et al  
Group Art Unit: 1764**

In accordance with the provisions of 37 C.F.R. 1.28, the assignee of the present invention wishes to forfeit small entity status for this application. The small entity status was established in good faith, when the filing fee for this application was paid on October 23, 2001.

At that time, total fees of \$996.00 were paid. The deficiency between the small entity fee and the regular fee, as required by 37 C.F.R. 1.28 (c)(2) is \$956.00, and this fee is included in our cheque number 4207. As required by 37 C.F.R. 1.28(c)(2)(ii), itemization of the deficiency in the payment is as follows:

Fee	Large Entity Rate	Small Entity Rate	Deficiency
Basic Filing Fee	740.00	370.00	370.00
Claim Fee	594.00	297.00	297.00
Independent Claim Fee	168.00	84.00	84.00
Multiple Dependent Claim Fee	280.00	140.00	140.00
Surcharge – late filing of fee or oath	130.00	65.00	65.00
<b>TOTALS</b>	<b>1912.00</b>	<b>956.00</b>	<b>956.00</b>

It is noted that 37 C.F.R. 1.28(d) indicates that any deficiency payment submitted under paragraph (c) of that section will be treated as a notification of loss of entitlement to small entity status, as detailed in 37 C.F.R. 1.27(g)(2). For the avoidance of doubt, the assignee still believes that it is entitled to small entity status. However, the assignee wishes this application to proceed with large entity status, and for this reason this submission is being made and the deficiency in the fees is being paid.

Respectfully submitted,

  
H. Samuel Frost

Registration No. 31,696

/elb  
Encl.